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AF/2702

Eibling 7-1-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s): E.E. Eibling et al.
Case: 7-1-2
Serial No.: 09/385,725
Filing Date: August 30, 1999
Group: 2684
Examiner: Pablo N. Tran

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature: Lissa M. Hanlin Date: May 29, 2002

Title: Aggregate Power Measurement

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Technology Center 2600

TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231
Box AF

Sir:

Submitted herewith is the following document relating to the above-identified patent application:

(1) Response to Final Office Action.

There is no additional fee due in conjunction with the response. In the event of any non-payment or improper payment of a required fee, the Commissioner is hereby authorized to charge or to credit **Ryan, Mason & Lewis, LLP Deposit Account No. 50-0762** as required to correct the error.

Respectfully submitted,

Date: May 29, 2002

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(516) 759-7517



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Signature: Laura M. Hamlin Date: May 29, 2002

Title: Aggregate Power Measurement

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RESPONSE TO FINAL OFFICE ACTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is submitted in response to the outstanding final Office Action dated March 26, 2002, in the above-identified application.

REMARKS

The present application was filed on August 30, 1999 with claims 1-22. In the outstanding final Office Action dated March 26, 2002, the Examiner rejected claims 1-22 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,715,526 (hereinafter "Weaver").

In this response, Applicants traverse the §102(b) rejection. Applicants respectfully request reconsideration of the present application in view of the following remarks.

The Examiner in formulating the §102(b) rejection states that Weaver in column 1, lines 9-10, and column 10, lines 5-27, discloses the claimed methods for determining the power level of a forward link signal in a wireless system (Office Action, page 2, section 1). More particularly, the Examiner argues that the column 10, lines 5-27, of Weaver disclose the limitation of independent claims 1 and 8 regarding "the measurement interval having a duration smaller than or equal to the

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